

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Re: Appeal to the Board of Patent Appeals and Interferences

PATENT  
APPLICATION

Can 1645 AF 8

In re PATENT APPLICATION of

Inventor(s): LEE

Appln. No.: 08

Series Code ↑

966,233

Serial No. ↑

Group Art Unit: 1645

Examiner.: M. Allen

Atty. Dkt. PM 241800

M#

Client Ref

Filed: November 17, 1997

Title: GDF-1 GENE

Asst. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231



Date: February 2, 2000

#49  
Plunkett  
2/8/00

FEB 04 2000

Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated November 2, 1999 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☒ "Small entity" verified statement filed: ☐ herewith. ☒ previously.

6. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd, see box 12 below <u>first</u> and decide: .....enter	\$300/150*	\$150 119/219
If box 2 above is X'd, see box 12 below <u>first</u> and decide: .....enter	\$300/150*	\$0 120/220
If box 3 above is X'd, see box 12 below <u>first</u> and decide: .....enter	\$260/130*	\$0 121/221
If box 4 above is X'd, .....enter nothing	- 0 - (no fee)	
7. Original due date: February 2, 2000		
8. Petition is hereby made to extend the original due date (1 mo) \$110/\$55		115/215
to cover the date this response is filed for which the (2 mos) \$380/\$190		116/216
requisite fee is attached. (3 mos) \$870/\$435		117/217
(4 mos) \$1360/\$680		118/218
(Usable <u>only</u> if box 2 is X'd--- 5 mos) \$1850/\$925	+0	128/228
9. Enter any previous extension fee paid <input type="checkbox"/> previously since above original due date (item 7); <input type="checkbox"/> with concurrently filed amendment .....	-0	
10. Subtract line 9 from line 8 and enter: Total Extension Fee		+0
11. TOTAL FEE ATTACHED =		\$150

12. ☐ \*Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

(Our Deposit Account No. 03-3975)

(Our Order No. 20055 241800

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Madison & Sutro LLP  
Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

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